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November 13, 1998

EX PARTE

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

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NOV 13 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: CC Docket No. 98-121

Dear Ms. Salas:

On November 12, 1998 Sid Boren, Bob Blau, Randy New, Bill Stacey, and I, representing BellSouth, met with Larry Strickling, Chief of the Common Carrier Bureau, and members of his staff. Bureau staff members attending the meeting included Yog Varma, Carol Matthey, Michael Pryor, Jordan Goldstein, and Jake Jennings. The meeting focused upon the OSS requirements and performance measurement data discussed in the Commission's recent order denying BellSouth's application for authority to provide in-region, interLATA service in Louisiana. The attached documents, given to those attending this meeting, provided the framework for the discussion that ensued.

Two copies of this notice are filed in accordance with Section 1.1206(a) of the Commission's rules. Please associate this notification with the proceeding identified above.

Sincerely,



Kathleen B. Levitz
Vice President-Federal Regulatory

Attachments

cc: Larry Strickling
Carol Matthey
Jordan Goldstein

Yog Varma
Michael Pryor
Jake Jennings

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Operating Support System Issues FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Issue	Matrix reference	Order Paragraph(s)
Repair and Maintenance - TAFI integration	Page 2, Item 3	150-161
3rd Party Testing - demonstration of Operational Readiness	Page 4, Item 2	140
Complex Ordering / Partial Migration Orders	Page 4, Item 1	143-144
Flowthrough	Page 2, Item 2	107
Retail Analogues / Performance Standards / Statistical Analysis	Page 3, Item 3	93,105-123
Trunk Blockage Measurement	Page 1, Item 3	77
Operator Services Performance Measurements	Page 9, Item 2	245-247

Summary of Second BellSouth Louisiana

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
<p>*Please note: All corresponding paragraph references in this column denote projected completion date and associated cost (where applicable)</p>			
1. Interconnection			
<p>❖ Provide interconnection at any technically Feasible point, including collocation on Terms and conditions that are "just, Reasonable, and nondiscriminatory" in Accordance with section 251 (c)(6), 47 U.S.C. § 251 (c)(2); 47 C.F.R. § 51-305(a)(2); <i>Local Competition First Report and Order</i> at ¶ 209, ¶ 549; <i>BellSouth South Carolina Section Order</i> at ¶ ¶200-02; <i>Ameritech Michigan Order</i> at ¶ 246.</p>	<p>❖ Offers through its SGAT the same collocation offering the commission rejected in the <i>BellSouth South Carolina Order</i>.</p>	<p>❖ Provide definite terms and conditions for collocation offering, including a commitment to installation intervals, that are "just, reasonable, and nondiscriminatory."</p> <p>¶ 66/165 T&C in Handbook not legally binding</p> <p>¶ 70 Need collocation intervals</p> <p>¶ 73 Provide space prep fee</p>	<p>(unclear requirement)</p> <p>❖ BellSouth can provide "definite terms and conditions for collocation offering" by attaching BellSouth's Collocation Handbook and Standard Collocation Agreement to the (SGAT). FCC stated that terms and conditions must be legally binding. FCC provided no guidance, however, as to what intervals it believes would pass muster as "just, reasonable and nondiscriminatory".</p>
<p>❖ Provision interconnection trunks in a Manner that is equal in quality to the way in Which BellSouth provisions trunks for its Own services. ; 47 C.F.R. § 51.305(a)(3) <i>Local Competition First Report and Order</i> at ¶¶224, 235; <i>Ameritech Michigan Order</i> at ¶ 255.</p>	<p>❖ Offers interconnection trunks on terms and conditions consistent with our rules and asserts that it provides CLECs with nondiscriminatory trunk installation. Submits performance data indicating that it supplies trunks in about the same timeframe as it provides trunks to itself. Claims that performance data regarding trunk blockage demonstrate that it provides interconnection that is equal in quality to the service it provides itself.</p>	<p>❖ Data regarding trunk blockage indicate blockage on competitors' trunks is worse than for BellSouth's retail trunks, and therefore, the service it provides to competitors is not "equal in quality" to the service it provides to itself. Provide evidence that demonstrates that BellSouth provides interconnection that is equal in quality to the service that it provides to itself.</p> <p>¶ 77 Provide statistical analysis and explanation of lack of parity</p>	<p>(new requirement)</p> <p>❖ A new measurement may be required. This creation of a % calls blocked measurement will require major changes in systems. It is unclear how the FCC came to the conclusion that the Trunk Blockage for competitors is worse than service BST provisioned for itself. For example, using repeated blockage of the same trunks as criteria FCC-NPRM (p. 43, par. 98) for the last three months (Sept.-Jul.) only 10.6% of the trunks that exceeded the 2% or 3% thresholds were repeated from the previous month. Further, two special studies of trunk blockage (LA & GA- March -September '98) reflect consistently lower blockage rates for the CLECs than for BST.</p>

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
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2. Access to Unbundled Network Elements (OSS)

❖ Deployment of necessary systems and personnel to provide competing carriers with access to each of the necessary OSS functions. Ameritech Michigan Order at ¶ 136 BellSouth South Carolina Order at ¶ 96.			
❖ Provide electronic and manual interfaces that allow competing carriers to access all of the OSS functions identified in the Local Competition First Report and Order. Ameritech Michigan Order at ¶ 96.	❖ Claims that it provides nondiscriminatory access to all necessary functions.	❖ Improve flow-through rates for CLEC orders. ¶ 107 Flow through results discriminatory ¶ 119 Error rejection notices manually re-keyed	❖ Change the flow-through report to make it more clear. Need to reach agreement with the FCC and DOJ on flow-through methodology, especially on complex orders, which are created manually via a service representative entering it into a service order generator. Flow-through results may need to be disaggregated into business, residential, and UNEs.
❖ Provide interfaces that allow competing carriers to transfer the information received from the BOC to their own back office systems (e.g., a competing carrier's billing system) and among the various interfaces provided by the BOC (e.g., pre-ordering and ordering interfaces). BellSouth South Carolina Order at ¶ 158-161.	❖ Claims that CGI and Ec-Lite meet this requirement based on independent third party testing, submits evidence from third party verifying that the pre-ordering interface is integratable with the ordering interface and a CLEC's own back office.	❖ Provide more persuasive evidence such as end-to-end testing results or performance data to overcome evidence by CLECs that CGI is not performing; improve Maintenance and Repair interfaces to provide same functionality as BellSouth provides itself. ¶ 96 CGI -LENS interface is discriminatory ¶ 151 TAFI cannot process app-to-app	(new requirement) ❖ TAFI is the same functionality BellSouth Provides itself. The FCC wants it on a machine-to-machine basis, which BellSouth does NOT provide for itself. TAFI has been in existence since 3/97- in all 3 of our FCC 271 applications. This is the first time the FCC declares TAFI discriminatory, even though it is the same interface BellSouth uses, solely because it is not machine-to-machine. The majority of CLECs prefer and use human-to-machine interfaces more than machine-to-machine interfaces. ECTA, a machine-to-machine interface, is built to TIMI standards, which does not call for as much functionality as TAFI already has. TAFI, a human-to-machine interface also used by BellSouth retail, has had 121,00 CLEC reports entered in 1998. ECTA has had less than 100 reports entered by CLECs.

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
		<p>¶ 150 TAFI cannot handle all complaints (e.g. loops)</p> <p>¶ 154 TI/MI does not flow through legacy systems and EC-CPM not proven</p> <p>¶ 156 ECTA maintenance interface does not provide parity</p>	
<p>❖ Demonstrate that the OSS functions and interfaces are operationally ready to handle current demand as well as reasonably foreseeable demand. Ameritech Michigan Order at ¶ 136, 138; BellSouth South Carolina Order at ¶ 96, 97.</p>	<p>❖ Provides performance measurements supporting its claim that its OSS interfaces are sufficient in an independent review by Ernst and Young.</p>	<p>❖ Provide more persuasive evidence such as end-to-end testing results, improved performance results or sufficiently disaggregated performance measurements (e.g., by interface) to overcome evidence by CLECs. Performance results (e.g., flow-through) do not demonstrate that it can meet reasonable volumes.</p> <p>(BLS interprets as possibly requiring some/all third party testing similar to NY)</p>	<p>(unclear requirement)</p> <p>❖ The requirements are unclear. BST plans to comply with the Louisiana Order, which requires greater disaggregation, benchmarks in absence of retail analogues, and statistical analysis.</p>
<p>❖ Provide access to OSS functions in substantially the same time and manner as the BOC provides itself where a retail analogue exists. Local Competition First Report and Order, 11 FCC Rcd at ¶ 517; Ameritech Michigan Order at ¶ 139; BellSouth South Carolina Order at ¶ 98.</p>	<p>❖ Provides performance measurements supporting its claim that its OSS interfaces are sufficient.</p>	<p>❖ Provide evidence that it meets this requirement, such as performance data including an analysis of performance results demonstrating that the performance is adequate, including comparisons to retail analogues. (Performance data indicate it is not providing OSS functions in substantially the same time and manner that it provides retail function).</p> <p>¶ 93 Provide statistical explanation of variations</p> <p>¶ 105/123 FOC-Lack of equivalent access to due dates. Installation/Completion intervals</p> <ul style="list-style-type: none"> -CLEC completion longer than BLS -Provide average completion intervals <p>¶ 147 Maintenance results for resold business not at parity</p>	<p>(new requirement)</p> <p>❖ The FCC added emphasis to the need for either a retail analogue or performance standard for every measurement. The Louisiana PSC has workshops scheduled to address Retail Analogues vs. Benchmark, Statistical Analysis, and the need for more or less disaggregation. These requirements were all a part of the 8/31/98 Order apparently ignored by the FCC</p>

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
<ul style="list-style-type: none"> ❖ Provide access to OSS functions in a manner that provides an efficient competitor a meaningful opportunity to compete where no retail analogue exists. Ameritech Michigan Order at ¶ 139; BellSouth Carolina Order at ¶ 98. 	<ul style="list-style-type: none"> ❖ Provide access to OSS functions in a manner that provides an efficient competitor a meaningful opportunity to compete where no retail analogue exists. Ameritech Michigan Order at ¶ 139; BellSouth Carolina Order at ¶ 98. 	<ul style="list-style-type: none"> ❖ Demonstrate that orders for UNEs are processed in a timely manner, such as a comparison to performance standards established by state commission interconnection agreements. Demonstrate that manual intervention for UNE orders does not effect timely provisioning nor BellSouth's ability to meet reasonable foreseeable demand. <p>¶ 117 Develop retail analog for order rejects, FOCs, jeopardys, and completion notices</p> <p>¶ 138 Provide disaggregated flow through for UNEs over EDI</p> <p>¶ 141 Provide UNE recombination order capability</p> <p>¶ 143 Split accounts cannot be handled mechanically</p>	<p>(new requirement)</p> <ul style="list-style-type: none"> ❖ Due to the complexity of the service(s), manual intervention will always be required. Order mechanization for some services is doubtful. BellSouth's own complex orders will not flow through the mechanized process. The requested demonstration that manual intervention doesn't discriminate is new.
<ul style="list-style-type: none"> ❖ Provide actual commercial usage, or carrier-to-carrier testing, independent third party testing, and internal testing to demonstrate the OSS interfaces are operationally ready. Ameritech Michigan Order at ¶ 138. 	<ul style="list-style-type: none"> ❖ Provides performance measurements supporting its claim that its OSS interfaces are sufficient and independent third party testing. 	<ul style="list-style-type: none"> ❖ Provide more persuasive evidence such as performance results, end-to-end testing results, or sufficiently disaggregated performance measurements (e.g., by interface) to overcome evidence by CLECs and DOJ. <p>¶ 140 Provide results of testing for UNE ordering</p>	<p>(new requirement)</p> <ul style="list-style-type: none"> ❖ We are interpreting this to mean perform the equivalent of extensive tests recommended by the NY PSC to Bell Atlantic, as recommended by the DOJ. This level of testing has not been suggested before.
<ul style="list-style-type: none"> ❖ Provide any technically feasible method for accessing unbundled network elements, including physical or virtual collocation. <i>Local Competition First Report and Order</i> at ¶ 549; 47 C.F.R. § 51.321 	<ul style="list-style-type: none"> ❖ Provides collocation as the sole method for access to network elements. 	<ul style="list-style-type: none"> ❖ Provide any technically feasible method not limited to collocation. <p>¶ 170 cannot limit recombination to collocation</p>	<p>(unclear requirement)</p> <ul style="list-style-type: none"> ❖ While the FCC made clear its belief that collocation alone would not satisfy this requirement, FCC did not offer any other alternatives that it would consider sufficient. FCC order paragraph 68 states that BellSouth limits CLECs to collocation as the only means to access UNEs. This is not an accurate representation of BellSouth's position. BellSouth stated that at present collocation was the only viable alternative available, but BellSouth is willing to consider any other alternatives proposed.

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
❖ Provide nondiscriminatory access to network elements in a manner that allows competing carriers to combine such elements. 47 U.S.C. § 251 (c)(3).	❖ Provides sample of performance measurements demonstrating that it provides collocation in a nondiscriminatory manner.	❖ Provide definite terms and conditions for collocation offering, including a commitment to installation intervals that are "just reasonable, and nondiscriminatory." ¶ 66/165 T&C in handbook not legally binding ¶ 70 Need collocation intervals ¶ 73 Provide space prep fee	

3. Access to Poles, Ducts, Conduits, and Right-of-Way

❖ Establish nondiscriminatory procedures for evaluating facilities requests pursuant to section 224 of the Communications Act. <i>Local Competition First Report and Order at ¶¶ 1239, 1143, 1151-1224; Pole Attachment Telecommunications Rate Order at ¶¶ 10-21.</i>	❖ Establishes nondiscriminatory procedures for evaluating facilities requests pursuant to section 224 of the Communications Act.	❖ Requirements Met	
❖ Grant competitors nondiscriminatory access to information on facilities availability. <i>Kennard March 20, 1998 Letter at iii.</i>	❖ Grants competitors nondiscriminatory access to information on facilities availability		
❖ Permit competitors to use non-BellSouth workers to complete site preparation. <i>Local Competition First Report and Order ¶ 1182.</i>	❖ Permits competitors to use non-BellSouth workers to complete site preparation.		
❖ Comply with state and federal rates. 47 U.S.C. § 224 (c)(3) <i>Pole Attachment Order at ¶ 6.</i>	❖ Complies with state and federal rates.		

4. Unbundled Local Loops

❖ Provide access to various types of unbundled local loops sufficient to allow an efficient	❖ Provisioned over 18,00 unbundled loops in its region and 107 in Louisiana; conducted	❖ Provide more persuasive evidence that it meets this requirement, such as performance	❖ (unclear requirement) The requirements are unclear. The FCC ignored the LAPSC order, which requires
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Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
competitor a meaningful opportunity to compete. . <i>Local Competition First Report and Order</i> at ¶¶ 380-386.	testing to verify loop transmission is properly provisioned and billed to competitors; claims its performance measurements demonstrate that it offers access to loops that allows an efficient competitor a meaningful opportunity to compete.	data that specifically measure loops rather than data that measures broader categories of UNE provisioning, including an explanation of how performance data demonstrates that it meets the nondiscriminatory standard (for example, a comparison of the performance results to intervals established by the state or through negotiated agreements). ¶ 194 Performance data on provisioning insufficient	UNE loops with and without INP and UNE Loops all other all other with and without INP to be specifically reported.
❖ Provide loop cutovers based on a reasonably foreseeable demand in a nondiscriminatory manner. 47 U.S.C. § 271 (c)(2)(B)(ii), 47 C.F.R. §§ 51.311(b); . <i>Local Competition First Report and Order</i> at ¶¶ 312-316	❖ Provides a study that claims to show that 318 loops out of 325 loops were cutover within 15 minutes and data demonstrating that in March it took, on average, 5.8 minutes to cutover loops.	❖ Provide more persuasive evidence that it meets this requirement, such as actual performance data demonstrating the time for loop cutovers that is currently under development. BellSouth fails to provide sufficient details of the study as well as a copy of the study. ¶ 196 Provide disaggregated results	❖ A mechanization of this process is under development. However, the FCC ignored the June and July data where we produced this report manually. A copy of the study will be provided.

5. Unbundled Local Transport

❖ Provide nondiscriminatory access to transport facilities in accordance with the Commission's previous orders. . <i>Local Competition First Report and Order</i> at ¶¶ 315,440, and 444; <i>Local Competition Third Reconsideration Order</i> at ¶¶ 22, 25, 38-39, 45.	❖ Claims that it offers shared and dedicated transport in a nondiscriminatory fashion; submits performance results aggregating dedicated transport with all "design circuit orders" which include, for example, unbundled loops.	❖ Submit more persuasive evidence, such as performance data specifically measuring the provisioning of dedicated transport facilities. ¶ 206 Provide disaggregated results	❖ Since no commenters addressed this issue, it does not seem appropriate for the FCC to demand additional performance data as "persuasive evidence".
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6.Unbundled Local Switching

❖ Provide the line-side and Trunk-side facilities of the switch. 47 C.F.R. § 51.319(c)(1)(i); . <i>Local Competition First Report and Order</i> , ¶ 412	❖ Provides the line-side and trunk side facilities of the switch.		
❖ Provide basic switching function. 47 C.F.R. § 51.319(c)(1)(i)(c)(1); <i>Local Competition First Report and Order</i> , ¶ 412	❖ Provides basic switching function.		

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
❖ Provide all vertical features that the switch is capable of providing. 47 C.F.R. § 51.319(c)(1)(i)(c)(2); <i>Local Competition First Report and Order</i> , ¶ 412	❖ Claims it is legally obligated to provide only the features it provides on a retail basis.	❖ Make available all vertical features that the switch is capable of providing, whether or not it offers a particular feature on a retail basis. ¶ 216 Provide all features loaded in switch software	❖ BellSouth has agreed to provide features that are loaded and activated in the switch (whether or not BellSouth offers the features on a retail basis). It appears that the FCC also wants a commitment that BellSouth will provide features that are loaded in the switch but have not been activated. However the FCC was silent on the issue of costs that would be incurred to activate such features. We assume the BFR process will suffice.
❖ Provide technically feasible customized routing functions. 47 C.F.R. § 51.319(c)(1)(i)(c)(2); <i>Local Competition First Report and Order</i> , ¶ 412	❖ Uses Line class codes as a method of providing customized routing.	❖ Demonstrate that CLECs are able to order customized routing efficiently such that it is capable of making customized routing practically available in a nondiscriminatory manner. ¶ 224 CLEC may provide one time customized routing instructions	(new requirement) ❖ BellSouth believes that the FCC is encouraging BellSouth to assume the responsibility for entering information on behalf of the CLEC and the CLEC's customized routing orders. BellSouth has held that only the CLEC possesses such information, and therefore should enter the information on its order. The FCC now apparently requires no manual intervention of the ordering process for customized routing be allowed.
❖ Provide trunk ports on a shared basis. <i>Local Competition Third Order on Reconsideration</i> , ¶¶ 25-29, and <i>Ameritech and Michigan 271 Order</i> ¶¶ 327-328.	❖ Provides trunk ports on a shared basis.		
❖ Provide unbundled tandem switching. 47 C.F.R. § 51.319(c)(2); <i>Local Competition First Report and Order</i> , ¶¶ 425, 426.	❖ Provides unbundled tandem switching		
❖ Provide usage information for billing for exchange access and reciprocal compensation. <i>First Report and Order</i> , ¶ 356.	❖ Exchange access: Claims it provides bills to CLECs using the same systems it uses to provide bills to its retail and interexchange access customers; concedes that it did not begin providing AT&T with this information until after the date of application.	❖ Exchange access: have in place the necessary procedures, and show that competing carriers are provided timely and accurate usage information, or a reasonable surrogate for this information, necessary to bill interexchange carriers, including BellSouth, for exchange access services	❖ It appears that the FCC recognized system capability to provide records for intraLATA toll traffic carried by BST that terminates to unbundled switch ports, will be available no later than October 31, 1998. The FCC referenced such in a footnote. We need to confirm with the FCC that the October 31

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
		¶ 160/230 Provide usage for billing flat rate calls, exchange access, and intrastate access	system enhancement would satisfy their requirement.
	❖ Reciprocal compensation: claims that it is not legally required to provide billing information for terminating traffic because any reciprocal compensation payments due from BellSouth are offset by payment due to BellSouth for the competitors' use of unbundled local switching to terminate traffic.	❖ Reciprocal Compensation: provide a purchaser of unbundled local switching with either: actual terminating usage data or a reasonable surrogate for this information. ¶ 233 Provide surrogate for billing terminating traffic	(unclear requirement) ❖ It appears that CLEC to CLEC traffic is the problem that the FCC is addressing. FCC Order at ¶ 234 states that BellSouth believes it is not legally obligated to provide billing information for terminating traffic. That is not BellSouth's position. The FCC appears to have rejected BellSouth on the "legal obligation" issue and ignored our surrogate method which presumes that payments between two carriers is offset. The FCC did not specify what it would accept as a "reasonable surrogate". It is unclear as to what the FCC expects the CLEC purchasing the unbundled switch port to do with this surrogate.

7. (I). 911 and E911 Services

❖ Provide access to 911 and E911 services in the same manner that it obtains such access. <i>Ameritech and Michigan Section Order at ¶ 256.</i>	❖ Provide access to 911 and E911 services in the same manner that it obtains such access.	❖ Requirements Met	
❖ Provide facilities-based competitors with interconnection through the use of dedicated trunks from the requesting carrier's switching facilities to the 911-control office. <i>Ameritech and Michigan Section Order at ¶ 256.</i>	❖ Provides facilities based competitors with interconnection through the use of dedicated trunks from the requesting carrier's switching facilities to the 911 control office.		
❖ Provide facilities-based competitors unbundled access to its 911 database at parity with the access it provides itself. <i>Ameritech and Michigan Section Order at ¶¶ 256, 270.</i>	❖ Provides facilities-based competitors unbundled access to its 911 database at parity with the access it provides itself.		

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
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7 (II), (III). Operator Services and Directory Databases

❖ Provide nondiscriminatory access to its directory assistance database on a "per dip" inquiry basis. <i>Local Competition Second Report and Order</i> at ¶¶ 141, 143; <i>Local Competition Report First Report and Order</i> at ¶ 538.	❖ Provides nondiscriminatory access to its directory assistance database on a "per dip" inquiry basis.		
❖ Provide nondiscriminatory access to BellSouth- supplied operator services and directory assistance. <i>Local Competition First Report and Order</i> at ¶¶ 537, 971.	❖ Claims that it provides access to its operator services and directory assistance in a nondiscriminatory manner; submits performance data that aggregates calls from customers of BellSouth and competing carriers.	❖ Provide evidence comparing how calls from BellSouth customers are treated and how calls from competitors' customers are treated, or explain why such evidence is unnecessary. ¶ 247 CLEC need for dedicated trunk for branding not demonstrated ¶ 245 Disaggregate performance data	(new requirement) ❖ The FCC earlier required customized routing as a method by which calls from CLEC customers could be branded. Customized routing places call from CLEC customers on discrete trunk groups for which separate measurements may be taken. The FCC noted that BellSouth has not separated its performance data to distinguish between performance to itself and to competing carriers. It is technically feasible to provide such information only in cases where the CLEC's calls are carried by separate trunk groups from the trunk groups carrying BellSouth's calls. Separate CLEC trunk groups are used when either the CLEC has installed its own switch or when the CLEC uses BellSouth's switches (either in the resale or unbundled network elements environment) in conjunction with customized routing. To the extent that a CLEC used BellSouth's switching but chooses not to use customized routing disaggregation of the performance data is not possible. Branding of CLEC calls to directory assistance or operator services relies on the CLEC either providing its own switching or using BellSouth's switching in conjunction with customized routing.
❖ Make available unbranded or rebranded operator services and director assistance through its platform. Kennard March 20, 1998 Letter at vii-2	❖ Claims that it allows competitors to brand or unbrand all OS/DA calls by purchasing dedicated trunks between each end office and BellSouth's OS/DA platform.	❖ Demonstrate why this method of providing branding is nondiscriminatory by explaining how BellSouth provides itself access to its OS/DA platform.	❖ BellSouth believed the FCC would find customized routing an acceptable method of providing branding of calls from CLEC customers. FCC has not suggested any method other than customized routing by which such

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
		¶ 247 CLEC need for dedicated trunk for branding was not demonstrated	branding of calls from CLEC customers might be accomplished.
❖ Provide nondiscriminatory access to all the information in its directory assistance database. <i>Local Competition Second Report and Order</i> at ¶¶ 141, 143; <i>Local Competition First Report and Order</i> at ¶ 538	❖ Provides access to some, but not all, directory listings of other carrier's customers.	❖ Provide access to the remaining information in its directory assistance database.	❖ BellSouth can likely re-negotiate the few interconnection agreements within thirty to sixty days. Likewise, the directory listings may be provided in a similar timeframe.

8. White Pages Directory Listings

❖ Provide nondiscriminatory appearance and integration of white page listings to customers of competitors. Kennard March 20, 1998 Letter at viii-1	❖ Provide nondiscriminatory appearance and integration of white page listings to customers of competitors.	❖ Requirements Met	
❖ Provide white page listings for competitor's customers with the same accuracy and reliability that it provides to its own customers. Kennard March 20, 1998 Letter at viii-1	Provides white page listings for competitor's customers with the same accuracy and reliability that it provides to its own customers.		

9. Numbering Administration

❖ Adhere to industry guidelines and Commission's requirements under section 251(b)(3). <i>Local Competition Second Report and Order</i> at ¶¶ 328, 332-33, 345.	❖ Adheres to industry guidelines and Commission's requirements under section 251(b)(3).	❖ Requirements Met	
❖ Provide white page listings for competitor's customers with the same accuracy and reliability that it provides to its own customers. Kennard March 20, 1998 Letter at viii-1	❖ Provides white page listings for competitor's customers with the same accuracy and reliability that it provides to its own customers.		
9. Numbering Administration			
❖ Adhere to industry guidelines and Commission's requirements under section	❖ Adheres to industry guidelines and Commission's requirements under section	❖ Requirements Met	

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251(b)(3). <i>Local Competition Second Report and Order</i> at ¶¶ 328, 332-33, 345.	251(b)(3).		

10. Databases and Associated Signaling

❖ Provide nondiscriminatory access to signaling networks, including signaling links and signaling transfer points. 47 C.F.R. §51.319(e)(1); <i>Local Competition First Report and Order</i> at ¶¶ 479-483.	❖ Provides nondiscriminatory access to signaling networks, including signaling links and signaling transfer points.	❖ Requirements Met	
❖ Provide nondiscriminatory access to call-related databases necessary for call routing and call completion, or in the alternative, a means of physical access to the signaling transfer point linked to the unbundled database. 47 C.F.R. § 51.319(e)(1); <i>Local Competition First Report and Order</i> at ¶¶ 484-492	❖ Provides nondiscriminatory access to call-related databases necessary for call routing and call completion, or in the alternative, a means of physical access to the signaling transfer point linked to the unbundled database.		
❖ Provide nondiscriminatory access to Service Management Systems. <i>Local Competition Second Report and Order</i> at ¶¶ 328, 332-33.	❖ Provides nondiscriminatory access to Service Management Systems.		

11. Number Portability

❖ Provide all interim number portability through remote call forwarding, direct inward dialing, or other comparable and technically feasible interim number portability methods as soon as reasonably possible following a specific request from a competitor. 47 C.F.R. §52.27; <i>Telephone Number Portability First Report and Order</i> at ¶¶ 110-116.	❖ Provides all interim number portability through remote call forwarding, direct inward dialing, or other comparable and technically feasible interim number portability methods as soon as reasonably possible following a specific request from a competitor.		
❖ Demonstrate that long-term number portability will be, or has been deployed in	❖ Demonstrates that long-term number portability will be, or has been deployed in		

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
the state in accordance with the implementation schedule established by the Commission. 47 C.F.R. § 52.23; <i>Telephone Number Portability First Reconsideration Order</i> at ¶ 48-126 and App. B; <i>Ameritech Michigan Order</i> at ¶ 342.	the state in accordance with the implementation schedule established by the Commission.		
❖ Provide nondiscriminatory access to the various functions of the BOC's operations support systems in order to request and obtain number portability in a timely and efficient manner. <i>Ameritech and Michigan Order</i> at 342.	❖ Provides some performance measurements supporting its claim that it provides nondiscriminatory access to OSS for number portability.	❖ Provide more persuasive evidence that it meets this requirement such as more detailed performance data, including disaggregation for interim number portability provided in conjunction with unbundled loops. ¶ 279/281 Coordination of loop / NP cut not demonstrated	❖ BST has produced a coordinated Customer Conversion report since August 15 th (July data) including loops with number portability. Currently working to mechanize procedures.
❖ Demonstrate that the provisioning of number portability is coordinated with loop cutovers. Kennard March 20, 1998 Letter at xi-3.	❖ Provides results of a study which it claims demonstrates that it provides interim number portability in a timely manner.	❖ Provide evidence that it meets this requirement. (BellSouth's study fails to demonstrate that it coordinates the provisioning of interim number portability with the provisioning of unbundled loops). ¶ 289/294 BLS not in compliance with FCC pricing rules	Same as above

12. Local Dialing Parity

❖ Establish that customers of competing carriers are able to dial the same numbers of digits that the BOC's customer dials to complete a telephone call and that they do not experience unreasonable delays. 47 U.S.C. §251 (b)(3)	❖ Establishes that customers of competing carriers are able to dial the same numbers of digits that the BOC's customer dials to complete a telephone call and that they do not experience unreasonable delays.	❖ Requirements Met	
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13. Reciprocal Compensation

❖ Establish that reciprocal compensation arrangements are in place. Kennard March 20, 1998 Letter at xi-3.	❖ Establishes that reciprocal compensation arrangements are in place.	❖ Requirements Met	
❖ Make all required payments in a timely fashion. Kennard March 20, 1998 Letter at xi-3.	❖ Makes all required payments in a timely fashion.		

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
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14. Resale

❖ Offer for resale at wholesale rates any telecommunications service that it provides at retail to subscribers who are not telecommunications carriers. 47 U.S.C. § 251 (c)(4)(A).	❖ Offers for resale at wholesale rates any telecommunications service that it provides at retail to subscribers who are not telecommunications carriers		
❖ Offer such services for resale without unreasonable or discriminatory conditions or limitations. 47 U.S.C. § 251(c)(4)(B); <i>Ameritech Michigan Order</i> at ¶ 131.	❖ Offer such services for resale without unreasonable or discriminatory conditions or limitations.		
❖ Establish that its operations support systems provide access to resold services on a nondiscriminatory basis. <i>Ameritech Michigan Section 271 Order</i> at ¶ 131.	❖ Claims that it makes resale available in a nondiscriminatory fashion through its operations support systems.	❖ Provide evidence that it meets this requirement. (Performance data (e.g., low flow-through) indicate access to OSS for resale is not available in a nondiscriminatory fashion.) ¶ 107 Flow through discriminatory	❖ Change the flow-through report to make it more clear. Need to reach agreement with the FCC and DOJ on flow-through methodology, especially on complex orders which are created manually via a service representative entering it into a service order generator. Flow-through results may need to be disaggregated into business, residential, and UNEs.

15. Track A/ PCS

❖ Demonstrate the existence of a competing provider of exclusively or predominantly facilities based exchange service to business and residential customers, which provides and actual commercial alternative somewhere in the state. 271(c)(1)(A); <i>Ameritech Michigan Order</i> at ¶¶ 75-76.	❖ Provided evidence that customers are subscribing to PCS service as a substitute for BellSouth's wireline service; that PCS and wireline service are price competitive for some customers; and that AT&T and other providers are advertising PCS as a substitute for wireline service.	❖ Show through a statistically valid survey that a "significant number" of PCS customers in Louisiana are using PCS to replace wireline service, not just to supplement wireline service. ¶ 35 MARC study flawed ¶ 40 NERA study flawed	(new & unclear requirement) ❖ The FCC rejects competition for second lines as "actual competition", making a PCS Track A showing more difficult. ❖ The FCC indicated that PCS prices must drop further before the Commission will find competition with wireline service.
❖ "To the extent that a BOC can demonstrate that customers are ordering PCS instead of wireline service, evidence could include studies or other analysis" Chairman Kennard letter 7/7/98 to Tauzin			❖ If the commission is saying that we have to show that more customers are substituting, how many customers is that? And how is such a requirement consistent with Congress's rejection of a metric test?

Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
			❖ The MARC study was not intended to develop a precise number of PCS users in Louisiana who chose PCS over landline. The FCC was provided exactly what Chairman Kennard said would be required.
	❖ Identified facilities-based wireline carriers providing business service in Louisiana, as well as residential resellers.	❖ None stated. The FCC did not reach any conclusions.	❖ The FCC appears to be leaning toward BellSouth's view that facilities-based business service can be aggregated with residential resale. Under this view, BellSouth may satisfy Track A in every state.

16. Public Interest

❖ The FCC must find, based on all relevant factors, that the BOC has undertaken all actions necessary to assure that its local telecommunications market is, and will remain, open to competitors using any pro-competitive entry strategy. <i>Ameritech Michigan Order</i> at ¶¶ 385-402.	❖ Showed that Section 271 relief will increase long distance competition. ❖ Showed that section 271 relief will not give BellSouth any unfair advantage in offering one-stop shopping ❖ Obtained a verification by the Louisiana PSC that section 271 relief will speed IXCs' entry into the local market. ❖ Committed to extensive performance measurements.	❖ Include performance measurements and standards, and <u>self-executing penalties</u> for failure to meet those standards, in interconnection agreements. ¶ 364 Self executing enforcement mechanisms needed	❖ The monitoring requirements may delay future filings until state performance measurement proceedings are completed. (unclear requirement) ❖ The FCC has still not ruled on public interest or spelled out its criteria for meeting any test, saying only that a number of factors will be considered. (new requirement) ❖ To include self-executing penalties as part of the public interest test appears to be regulatory overkill and as Commissioner Furchgott-Roth points out, legally questionable.
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17. 272 Separate Affiliate 272(b)(5)

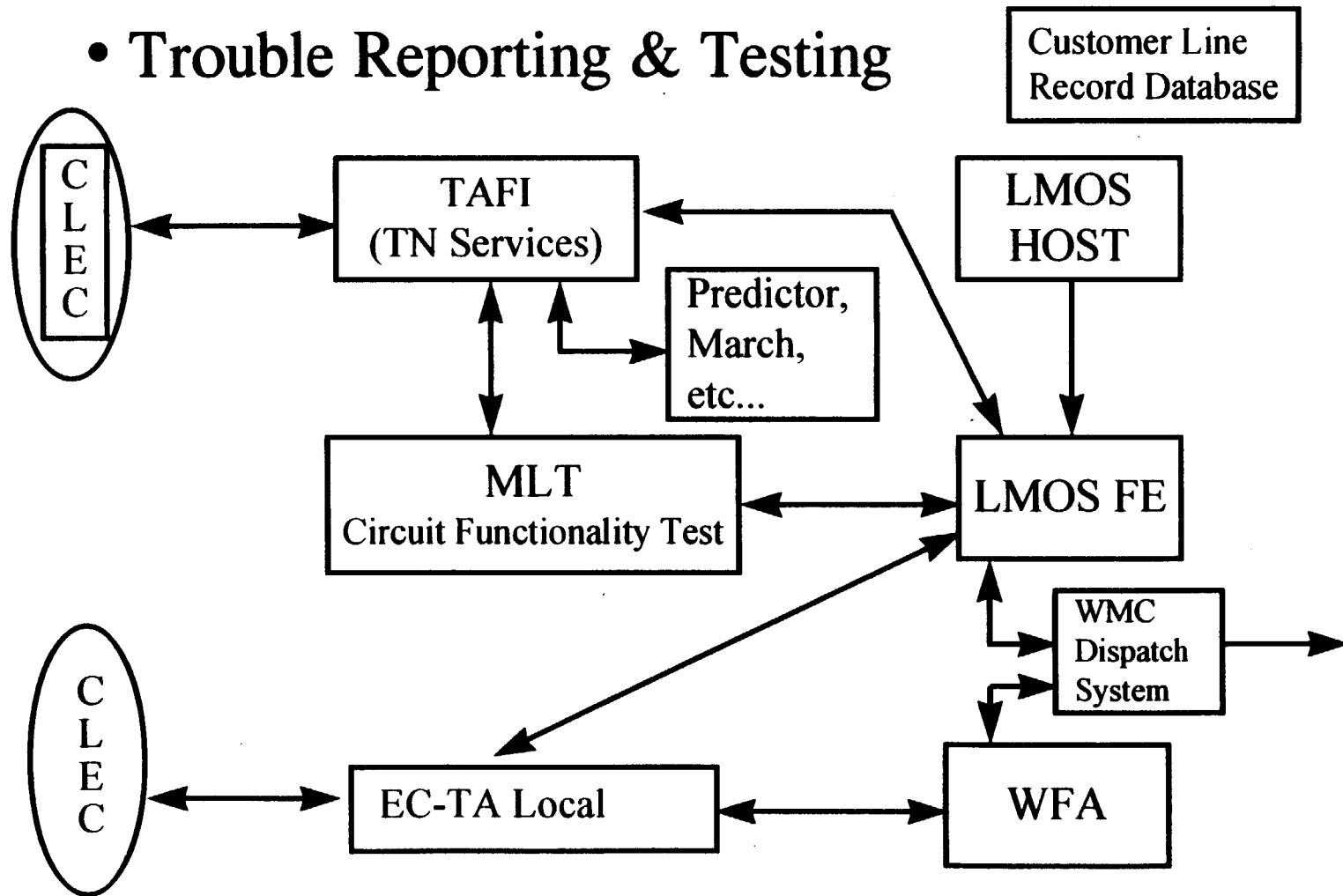
❖ Affiliate transactions conducted at arm's length, reduced to writing and made available for public inspection §335-339	❖ BellSouth has disclosed "past transactions" and "current transactions", but comparison of Cost Allocation Manual (CAM) and internet postings reveal discrepancies. CAM lists services of trouble reporting and use/maintenance of general computers that FCC says is missing from website.	❖ BellSouth should disclose all transactions with detailed written descriptions.	❖ FCC has seized on BLS use of the word "summary" instead of FCC phrase "detailed descriptions". Explanations to staff reconciling the transaction dollars and internet/CAM listings were apparently not understood.
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Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
		¶ 335 Discrepancies between Internet and ARMIS	¶ 335 -To be reconciled
272(b)(5) ❖ Affiliate transactions conducted at arm's length, reduced to writing and made available for public inspection §335-339 (cont.)			❖ BLS did/does disclose all transactions: 1) Cochran, para. 20: written documentation for all transactions, including executed contracts, is available for public inspection 2) Wentworth Reply, para. 4: "We have posted at the BellSouth website...the entirety of the rates, terms and conditions of all our current non-tariff transactions and provided at least a summary of all past transactions with BST.
		❖ Descriptions should include rates, terms and conditions -frequency of recurring transactions -approximate date of completed transactions	(new requirement) ❖ The frequency and date requirements are new.
272(b)(5) ❖ Affiliate transactions conducted at arm's length, reduced to writing and made available for public inspection §335-339 (cont.)		❖ Asset transfers -quantity -quality; if relevant	(new requirement) ❖ The requirements are new.
		❖ Services -Number and type of personnel -Level of expertise of personnel (including number of hours for each labor category and associated hourly rate) -State whether hourly rate is fully loaded and includes direct and indirect overhead costs	(new & unclear requirement) ❖ The requirements are new. Unclear whether these requirements apply only to past transactions that used fully distributed cost or whether they apply to all current transactions as well. If they apply only to past FDC transactions, they are comprehensible. If they apply to current ongoing transactions, which are based on FMV, they make no sense – in current transactions BSLD pays BST rates based on minutes, messages, etc., and not in units of labor. Use of or disclosure of such information in that context contradicts the provision of 32.27(d) that permits FMV valuation.
		¶ 336 Rates for transactions not included	
		❖ Disclosures in CAM-ARMIS internet posting, and place of business should be consistent. ❖ BLS should state clearly its internet posting procedures.	(new requirement) ❖ This is a new requirement. Revise CAM to use exactly the same language as executed agreements. Include ARMIS reconciliation in future filings. Post relevant procedures on website.

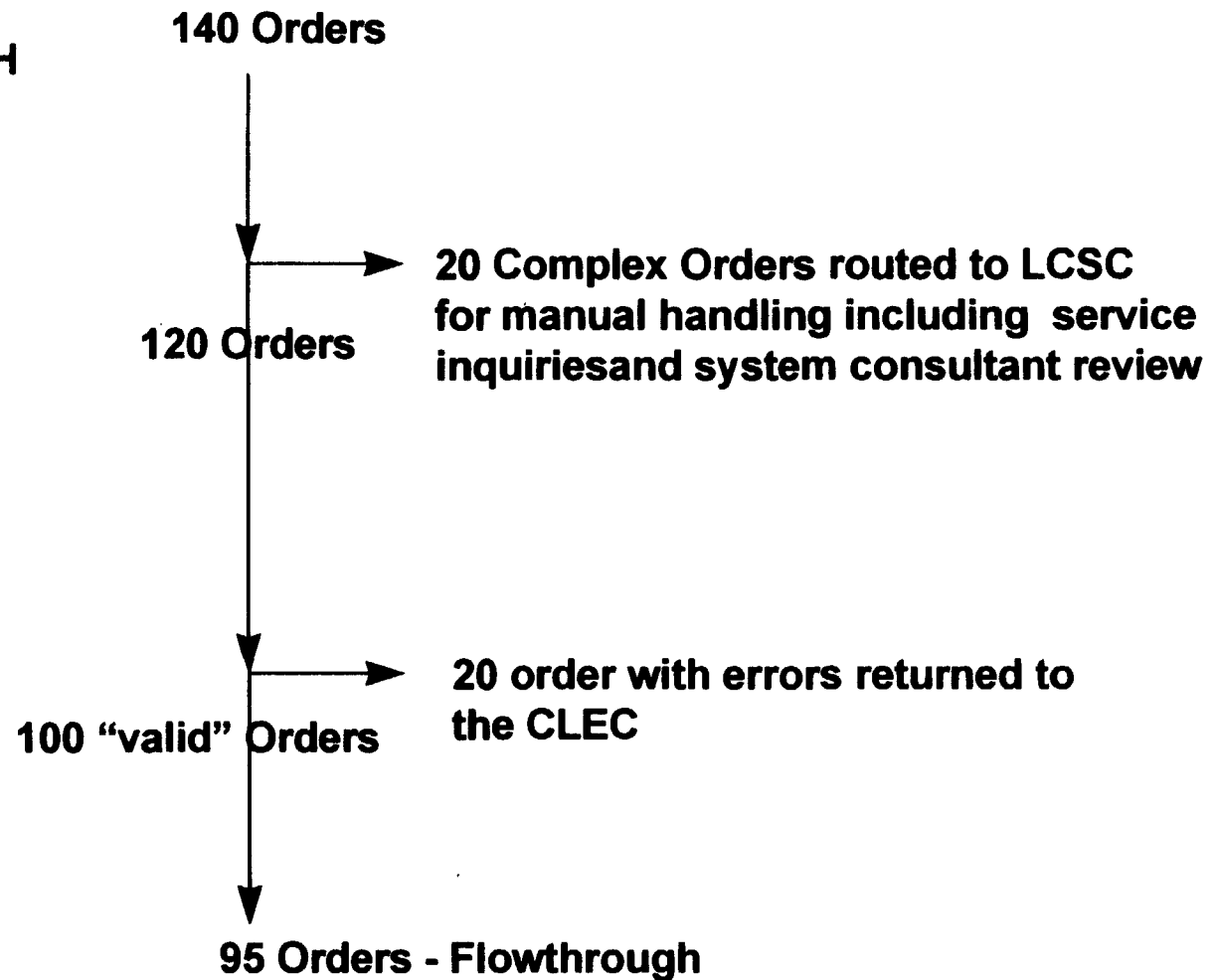
Check List Item Requirements	Actions BellSouth Has Taken	Actions BellSouth Still Needs to Take	BellSouth's Response
		❖ Because of failure to disclose all transactions, arm's length requirements cannot be evaluated. For transactions that appear on internet, there appears to be compliance.	❖ Communicate that all transactions have been disclosed.
272(e)(1) ❖ Fulfillment of requests for the Telephone Exchange and exchange access	❖ Cites BLS affidavits saying they are limited to installation and maintenance.	❖ Cites failure to provide nondiscriminatory access to OSS, but does not say what should be added to installation and maintenance.	(unclear requirement) ❖ Need Clarification
272(g)(1) ❖ Affiliate Sales of Telephone Exchange Services § 356	❖ BLS demonstrates substantial compliance but fails to mention information services. In accounting safeguards order, FCC says it interpreted statutory language of "same or similar service" to include information services.	❖ BLS should state whether BSLD intends to market information services, and if so, whether BST will permit other ISPs to market and sell telephone exchange services.	❖ Minor revision to application and Varner affidavit

CLEC OSS Access

- Trouble Reporting & Testing



FLOWTHROUGH



Flowthrough= 95%? or 95/120 (79%)? or 95/140 (67%)?

